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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,129	11/14/2001	W. Anthony Ross III	8194-584	6220

20792 7590 05/17/2005

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EXAMINER	
PHAM, TUAN	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/993,129	ROSS, W. ANTHONY	
	Examiner	Art Unit	
	TUAN A. PHAM	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/14/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 11/14/2001 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 23-25, and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Russell et al. (Pub. No.: US 2003/0036360, hereinafter, "Russell").

Regarding claim 23, Russell teaches a radiotelephone interface for a motorcycle that includes a motorcycle helmet (see figure 1), the radiotelephone

interface comprising: a radiotelephone user interface (read on helmet subsystem) that is configured to mount on the motorcycle helmet (see figure 1, helmet subsystem 22, vehicle 21, col.1, [0006], col.2, [0023-0026]); and a wireless piconetwork interface (read on transceiver 24, figure 1) that is configured to mount on the motorcycle helmet (see figure 1, helmet 33, col.2, [0023-0026]) and that is responsive to a radiotelephone being proximate thereto to set up a wireless piconetwork connection with the radiotelephone and to wirelessly relay user inputs and outputs between the motorcycle helmet and the radiotelephone that is proximate thereto via the wireless piconetwork connection (see figure 1, helmet 33, vehicle 21, cellular phone 23, col.2, [0023-0026]).

Regarding claim 24, Russell further teaches the radiotelephone user interface comprises at least one of a loudspeaker, a microphone, a display and a pointing device (see figure 1, MIC 32).

Regarding claim 25, Russell further teaches the wireless piconetwork interface comprises a Bluetooth wireless network interface (see figure 1, col.2, [0026]).

Regarding claim 27, Russell further teaches the radiotelephone comprises a wireless piconetwork interface (see figure 1, wireless link 32 is communicated between subsystem 12 and subsystem 22 by Bluetooth. Therefore, it is inherently that the radiotelephone should be included the piconetwork interface).

Regarding claim 28, Russell further teaches in combination with a motorcycle helmet, wherein the radiotelephone user interface and the wireless piconetwork interface are mounted on the helmet (see figure 1, col.2, [0023-0026], wireless link 32 is

communicated between subsystem 12 and subsystem 22 by Bluetooth. Therefore, it is inherently that the radiotelephone should be included the piconetwork interface).

4. **Claims 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Badarneh (Pub. No.: US 2003/0023353).**

Regarding claim 33, Badarneh teaches a wireless communication device comprising: a radiotelephone that is configured to communicate with a cellular and/or satellite radiotelephone network (see figure 43, cellular 75, it is inherently that the cellular 75 is communicated with cellular network); and a wireless piconetwork interface that is responsive to the radiotelephone being proximate to a vehicle to set up a wireless piconetwork connection with the vehicle, that is configured to wirelessly receive user pointing commands from the vehicle via the wireless piconetwork connection and that is configured to wirelessly relay radiotelephone displays from the radiotelephone to the vehicle via the wireless piconetwork connection (see figures 40-43, 93, switch 79, cellular 75, col.9, [0173-0175], col.15, [0246]).

Regarding claim 34, Badarneh further teaches the radiotelephone comprises a Bluetooth wireless network interface (see figure 43, col.15, [0246]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1- 6, 9-10, 12-19, 21-22, 29-30, 32 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badarneh (Pub. No.: US 2003/0023353) in view of Arlinsky (Pub. No.: US 2003/0074119).

Regarding claims 1 and 14, Badarneh teaches a radiotelephone interface for a vehicle that includes a steering mechanism and a windshield, the radiotelephone interface comprising (see figure 40-43, 93):

a pointing device (read on switch) that is configured to couple to the steering mechanism (see figure 43, switch 79, steering wheel 70', col.9, [0173-0175]);

a first wireless network interface that is responsive to a radiotelephone being proximate thereto to set up a first wireless piconetwork connection with the radiotelephone, and that is configured to wirelessly relay user pointing commands from the pointing device to the radiotelephone that is proximate thereto via the first wireless piconetwork connection (see figures 40-43, 93, col.9, [0173-0175]), the switch is included the first interface for communicating with third interface of mobile 75 in wireless fashion); and

a second wireless network interface that is responsive to the radiotelephone being proximate thereto to set up a second wireless piconetwork connection with the

radiotelephone, and that is configured to wirelessly receive radiotelephone displays from the radiotelephone that is proximate thereto via the second wireless piconetwork connection and to display the radiotelephone displays on the display device (see figures 40-43, 93, col.9, [0173-0175], the display 74 is included the second interface for communicating with third interface of mobile 75 in wireless fashion).

It should be noticed that Bardaneh fails to teach a display device that is configured to couple to the windshield. However, Arlinsky teaches such features (figure 1, display 14, col.2, [0024]).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arlinsky into view of Badarneh, in order to conveniently dial telephone number while driving to avoid an accident.

Regarding claims 2 and 15, Badarneh further teaches the first and second wireless network interfaces comprise first and second Bluetooth wireless network interfaces, respectively (see figure 43, col.15, [0246]).

Regarding claims 3 and 16, Arlinsky further teaches the pointing device comprises a tactile mouse that is configured to mount on the steering mechanism (see col.3, trackball, [0032]).

Regarding claims 4-5, and 17, Arlinsky further teaches the display device comprises a heads-up display that is configured to display on the windshield (figure 1, display 14, col.2, [0024]).

Regarding claim 6, Arlinsky further teaches the vehicle is a four-or more wheeled vehicle, wherein the steering mechanism comprises a steering wheel and

wherein the tactile mouse is configured to mount on the steering wheel (see figure 1, col.2, [0024], col.3, [0032]).

Regarding claims 9 and 18, Badarneh further teaches the radiotelephone comprises a third Bluetooth wireless network interface (see figure 43, col.15, [0246]).

Regarding claims 10 and 19, Badarneh further teaches a cradle that is configured to couple the radiotelephone to the vehicle, wherein the cradle comprises a third Bluetooth wireless network interface (see figure 43, col.15, [0246]).

Regarding claims 12 and 21, Arlinsky further teaches the radiotelephone is configured to generate a keypad display, wherein the second wireless network interface is further configured to wirelessly receive the keypad display, wherein the display device is further configured to display the keypad display, and wherein the pointing device is configured to accept a user input of a key on the keypad display and to wirelessly relay the user input of a key to the radiotelephone via the first wireless network interface (see figures 7, 8A, 8B, touch pad 34, col.3, [0032-0033]).

Regarding claim 13, Badarneh further teaches the pointing device is coupled to the steering mechanism and the display device is coupled to the windshield (see figure 43, steering wheel 70, col.9, [0173-0175]).

Regarding claim 22, Arlinsky further teaches the pointing device and the display device are mounted in the vehicle (see figures 6-7, col.3, [0032-0033]).

Regarding claim 29, Badarneh teaches a radiotelephone communication method for a user in a vehicle that includes a steering mechanism and a windshield, the radiotelephone communication method comprising (see figure 40-43, 93):

setting up a wireless piconetwork connection between a pointing device (read on switch) that is coupled to the steering mechanism, a display device that is coupled to the windshield and a radiotelephone, in response to the radiotelephone being proximate to the pointing device and the display device (see figure 43, switch 79, steering wheel 70', col.9, [0173-0175], the switch is included the first interface for communicating with third interface of mobile 75 in wireless fashion);

wirelessly relaying user inputs from the pointing device that is coupled to the steering mechanism to the radiotelephone that is proximate thereto via the wireless piconetwork connection; and wirelessly relaying user displays from the radiotelephone to the display device that is coupled to the dashboard via the wireless piconetwork connection (see figures 40-43, 93, col.9, [0173-0175], the display 74 is included the second interface for communicating with third interface of mobile 75 in wireless fashion).

It should be noticed that Bardaneh fails to teach a display device that is configured to couple to the windshield. However, Arlinsky teaches such features (figure 1, display 14, col.2, [0024]).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arlinsky into view of Badarneh, in order to conveniently dial telephone number while driving to avoid an accident.

Regarding claim 30, Badarneh further teaches the method of radiotelephone comprises a Bluetooth wireless network interface (see figure 43, col.15, [0246]).

Regarding claim 32, Badarneh further teaches the method of radiotelephone wherein the wirelessly relaying user displays from the radiotelephone to the display

device that is coupled to the windshield via the wireless piconetwork connection comprises wirelessly relaying a keypad display from the radiotelephone to the display device that is coupled to the windshield via the wireless piconetwork connection; and wherein the wirelessly relaying user inputs from the pointing device that is coupled to the steering mechanism to the radiotelephone that is proximate thereto via the wireless piconetwork connection comprises wirelessly relaying a user input of a key on the keypad display from the pointing device that is coupled to the steering mechanism to the radiotelephone that is proximate thereto via the wireless piconetwork connection (see figures 40-43, 93, switch 79, display 74, cellular 75, col.9, [0173-0175]).

Regarding claim 36, Badarneh teaches a wireless communication device comprising: a radiotelephone that is configured to communicate with a cellular and/or satellite radiotelephone network (see figure 43, cellular 75, it is inherently that the cellular 75 is communicated with cellular network); and a wireless piconetwork interface that is responsive to the radiotelephone being proximate to a vehicle to set up a wireless piconetwork connection with the vehicle, that is configured to wirelessly receive user pointing commands from the vehicle via the wireless piconetwork connection and that is configured to wirelessly relay radiotelephone displays from the radiotelephone to the vehicle via the wireless piconetwork connection (see figures 40-43, 93, switch 79, cellular 75, col.9, [0173-0175], col.15, [0246]).

It should be noticed that Badarneh fails to clearly teach the radiotelephone is configured to generate a keypad display, wherein the wireless piconetwork interface is further configured to wirelessly relay the keypad display to the vehicle via the wireless

piconetwork connection, and wherein the wireless piconetwork interface is further configured to accept a user input of a key on the keypad display from the wireless piconetwork connection and to relay the user input of a key to the radiotelephone. However, Arlinsky teaches such features (see figure 7, 8A, 8B, col.3, [0032-0033]).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Arlinsky into view of Badarneh, in order to conveniently dial telephone number while driving to avoid an accident.

7. **Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Badarneh (Pub. No.: US 2003/0023353) in view of Ribak (Pub. No.: US 2002/0085043).**

Regarding claim 35, Badarneh teaches a wireless communication device comprising: a radiotelephone that is configured to communicate with a cellular and/or satellite radiotelephone network (see figure 43, cellular 75, it is inherently that the cellular 75 is communicated with cellular network); and a wireless piconetwork interface that is responsive to the radiotelephone being proximate to a vehicle to set up a wireless piconetwork connection with the vehicle, that is configured to wirelessly receive user pointing commands from the vehicle via the wireless piconetwork connection and that is configured to wirelessly relay radiotelephone displays from the radiotelephone to the vehicle via the wireless piconetwork connection (see figures 40-43, 93, switch 79, cellular 75, col.9, [0173-0175], col.15, [0246]).

It should be noticed that Badarneh, fails to teach a displaying of caller ID on the display. However, Ribak teaches such feature (see figure 5, display 130, telephone number, col.6, [0082]).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ribak into view of Badarneh and Arlinsky, in order to reduce the driver distraction.

8. **Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Russell et al. (Pub. No.: US 2003/0036360, hereinafter, "Russell") in view of Hori et al. (U.S Patent No.: 5,072,209, hereinafter "Hori") as applied to claim 23 above, and further in view of Miyachi (U.S. patent No.: 3,944,924).**

Regarding claim 26, Russell teaches a radiotelephone interface for a motorcycle that includes a motorcycle helmet (see figure 1), the radiotelephone interface comprising: a radiotelephone user interface (read on helmet subsystem) that is configured to mount on the motorcycle helmet (see figure 1, helmet subsystem 22, vehicle 21, col.1, [0006], col.2, [0023-0026]); and a wireless piconetwork interface (read on transceiver 24, figure 1) that is configured to mount on the motorcycle helmet (see figure 1, helmet 33, col.2, [0023-0026]) and that is responsive to a radiotelephone being proximate thereto to set up a wireless piconetwork connection with the radiotelephone and to wirelessly relay user inputs and outputs between the motorcycle helmet and the radiotelephone that is proximate thereto via the wireless piconetwork connection (see figure 1, helmet 33, vehicle 21, cellular phone 23, col.2, [0023-0026]).

It should be noticed that Russel fails to clearly teach a display is configured to mount in the motorcycle helmet. However, Hori teaches such feature (see figure 3, display 5, col.3, ln.37-51).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hori into view of Russell, in order to look at display while driving to avoid an accident.

Russell and Hori, in combination, fails to teach pointing device is configured to mount on the motorcycle handlebars. However, Miyachi teaches such feaures (see figure 1, button 38, col.1, ln.61-68).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Miyachi into view of Russell and Hori, in order to communication in a wireless fashion.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Badarneh (Pub. No.: US 2003/0023353) in view of Arlinsky (Pub. No.: US 2003/0074119) as applied to claim 1 above, and further in view of Miyachi (U.S. patent No.: 3,944,924).

Regarding claim 7, Badarneh and Arlinsky, in combination, fails to teach pointing device is configured to mount on the motorcycle handlebars. However, Miyachi teaches such features (see figure 1, button 38, col.1, ln.61-68).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Miyachi into view of Badarneh and Arlinsky, in order to communication in a wireless fashion.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Badarneh (Pub. No.: US 2003/0023353) in view of Arlinsky (Pub. No.: US 2003/0074119) as applied to claim 1 above, and further in view of Miyachi (U.S. patent No.: 3,944,924) and further in view of Hori et al. (U.S Patent No.: 5,072,209, hereinafter "Hori").

Regarding claim 8, Badarneh, Arlinsky, and Miyachi, in combination, fails to teach a display is configured to mount in the motorcycle helmet. However, Hori teaches such feature (see figure 3, display 5, col.3, ln.37-51).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Hori into view of Russell, in order to look at display while driving to avoid an accident.

11. Claims 11, 20, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badarneh (Pub. No.: US 2003/0023353) in view of Arlinsky (Pub. No.: US 2003/0074119) as applied to claim 1 above, and further in view of Ribak (Pub. No.: US 2002/0085043).

Regarding claims 11, 20, and 31, Badarneh and Arlinsky, in combination, fails to teach a displaying of caller ID on the display. However, Ribak teaches such feature (see figure 5, display 130, telephone number, col.6, [0082]).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ribak into view of Badarneh and Arlinsky, in order to reduce the driver distraction.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Asakawa et al. (U.S. Patent No. 5,892,598), Lee et al. (U.S. Patent No. 6,131,042), Whiting (U.S. Patent No. 6,406,168), and Yagi (U.S. Patent No. 6,725,020) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (571) 272-7499 and

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Art Unit 2643
May 11, 2005
Examiner

Tuan Pham

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